

ALA WAI CLEANUP 3/19/05:

Trimble and Staff hard at work with the Sierra Club



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DOWNTOWN NEIGHBORHOOD BOARD NO. 13



SENATOR GORDON TRIMBLE SENATE UPDATE

Legislative Status Report

A system of checks and balances is the cornerstone of the way our government works and the separation of powers is critical to its preservation. This year, there exists a scheme in the Legislature to upset this balance by restricting or eliminating the powers of the Governor. The following are some of the bills that seek to undermine executive authority.

Tying Up the Purse Strings: Bills that undermine the Governor's Ability to Control the Budget

HB1672: Relating to the Budget. This bill requires the Governor to hold a public hearing every time she restricts or withholds appropriated funding. When the Legislature appropriates money, it is the Governor's job to make sure that there is enough money to go around. She is responsible for the financial well being of the State. With that

responsibility comes the power to restrict and withhold funds. Many laws are passed each session, and many of them do not receive full funding because of the State's financial situation. This law would require the Governor's office to spend a substantial amount of time holding public hearings rather than getting real work done. Not only does this create additional bureaucracy, but it can also delay the release of funds even further.

HB160 HD2: Relating to the Compliance Resolution Fund. This bill limits the assessment fees that the Insurance Commissioner can collect from insurance companies. The State's Insurance Division has always relied on these fees to pay for operating expenses. The division protects consumers by monitoring and investigating insurance companies and the Commissioner needs to have the ability to raise fees in order to cover costs. This bill arbitrarily sets a cap that could cause the department to face severe budget shortfalls preventing them from doing their job effectively.

Throwing in the Monkey Wrench: Bills that undermine the Governor's Ability to Affect Government Operations

SB1808 SD1 HD1: Relating to Worker's Compensation Law. This bill amends workers' compensation law by mandating further requirements for vocational rehabilitation providers and limiting the director's rulemaking authority. The Director of the Department of Labor has ALWAYS been able to make administrative rules regarding worker's compensation law provided that they are consistent with existing law and deemed necessary for the proper application or enforcement of the law. This bill completely eliminates the Director's ability to do this. This severely cripples the Director's authority over worker's compensation.

For Those Who Wish to Serve: Bills that undermine the Governor's Ability to Make Appointments to Boards and Commissions

HB 1548 HD1 SD1: Relating to the Employer-Union Health Benefits Trust Fund. This bill adversely impacts the Governor's appointment powers with respect to the composition of the Board of Trustees of the employer union health benefits trust fund. Presently the board consists of 10 people, all of whom are appointed by the Governor. This bill increases the number of board members to 14. It also determines a new board composition which favors trustees who are representative of the collective bargaining units.

SB 1194 SD1 HD1: Relating to the Board of Trustees of the Deferred Compensation Plan. This bill amends provisions relating to the composition of the board. Previously, the Governor had the authority to appoint the five members of the Board. This bill will require that the members of the plan elect all five members.

SB 1256: This bill proposes a constitutional amendment to modify the appointment process for the University of Hawaii Board of Regents. Currently the Governor appoints members of the Board of Regents. However, this bill limits her appointments to a pool of candidates screened by a candidate advisory council. This advisory council would consist of 11 members who will represent geographic areas & one student member. The Senate would have appointment authority for this advisory council—supposing to "assist the Governor".

SB 1888 SD1: Relating to the Hawaii Labor Relations Board. This bill would keep the Governor from appointing new members to the HLRB and would extend the terms of the current members until 2010. The purpose of the HLRB is to resolve disputes concerning the designation of appropriate labor union bargaining units and to oversee the union elections.